THE New Republic

What Are the Facts About Fall-Out?

Pages 13-16

LIMITED WARS?

A Discussion of Henry A. Kissinger's Views on Nuclear Weapons and Foreign Policy

JAMES E. KING, JR.

World's Biggest Wastebasket.. *Richard L. Strout*

The Hangman Cometh.... *Gerald W. Johnson*

The June 17th Decisions

Alan Barth and Harry Kalven, Jr. on the Court

JULY 1, 1957

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Washington Wire

Disarmament, But . . .

DISARMAMENT IS the biggest issue in the world today. Here are some Washington angles.

President Eisenhower, almost a pacifist, is as much interested in this as in any other subject; he wants history to record his role. But—

He picked Admiral Radford as Chairman, Joint Chiefs of Staff, who firmly believes nuclear war with Russia "inevitable." And—

Admiral Strauss as Chairman, Atomic Energy Commission, who adores his new, shiny atomic weapons and would be shocked by a forced moratorium. Also—

Dulles, who correlates arms limitation with *total* disarmament, and is jealous of London arms delegate Harold Stassen. And—

Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs, who has an evangelical hatred of Red China like Radford's of Moscow.

Eisenhower is further hobbled by the political scorn which he, his administration and virtually the whole Republican one-party press, heaped on Stevenson's proposal for a nuclear test holiday —a holiday which now appears inevitable as a first step to any arms limitation.

The cobweb enmeshing Eisenhower is also revealed in the way anti-Stassen elements tried to destroy Stassen's mission by leaking the story that he had been hauled back to Washington to be "reprimanded."

Stassen's rhinoceros hide, incurable political ambition and his backing by Eisenhower sustained him. So the strange dance goes on with elements in the Administration for and against arms limitation at the same time.

The Canyon's Comeback

WE DEVOTED two recent columns to Hells Canyon. "Why worry about lost causes?" complained friends. Because good causes are never lost. We confess our amazement, however, that the Senate, 45-38, confounded forecasts and backed our position, reversing last year's 10-vote margin and giving conservationists a tremendous victory! It is now said that "Eisenhower will veto Federal development of Hells Canyon" if the House follows the Senate lead. Well, Coolidge and Hoover separately vetoed public development of Muscle Shoals—and yet it became TVA under the drive of George Norris. Coolidge and Hoover wanted to sell Muscle Shoals to Henry Ford. This Administration wants to *give* Hells Canyon to the Idaho Power Company (headquarters, Augusta, Maine).

We feel deeply about this, not because of the public vs. private issue, but because, with young Sen. Frank Church (D, Idaho) we believe that failure to use a great national resource like this to its maximum is a moral wrong. The Idaho Power Company would not fully exploit the extraordinary gorge and the big river, and it would impound only part of the melting snow-water for reclamation and flood-prevention.

If the Federal "high" dam is ever built at Hells Canyon it should be called the Kefauver Dam. With that plodding implacability with which he exposed the Dixon-Yates give-away, Kefauver has now exposed the fast tax write-off subsidy which the Administration proposed to give to the Idaho Power Company. The company dropped the gimmick on the eve of the vote, but it was then too late. Up there in the sky somewhere old George Norris must have winked his little deep-set eyes and applauded Estes Kefauver.

Humphrey and Kerr

WE HAVE ALWAYS liked Treasury Secretary George Humphrey. He is arrogant but not wittingly so; it is the arrogance that springs from an unconscious assumption of effortless superiority, so good-humored and deep-grained that he does not even know it exists. It is no fun to see a proud man spanked, and yet that is what Sen. Robert Kerr (D, Okla.) is doing to [illegible] Senate Finance Com[illegible] money" hearings. The [illegible] these two multimillionaires [illegible] torial battle if we ever saw [illegible] currently the best show in W[illegible] Never in his life has Humphr[illegible] treated like this. He keeps saying pulsive things, as grinning Kerr egg[illegible] him on, like his answer to the taunt that Eisenhower promised a "$60 billion budget" in 1952—"Oh," said George, "but that was before he was elected!"

Humphrey represents the Eternal Businessman come to "clean up" Washington. Some businessmen, like Ogden Mills, learn things in Washington; we doubt if Humphrey has. Yet he is not stupid like Sinclair Weeks. Humphrey can be an immensely valuable member of society as head of his big steel-coal empire, particularly under stiff Feder[illegible] controls. His preconceptions and part[illegible] sanship defeat him in public life. He cannot understand it. For five years he has persistently compared Truman's wartime budgets with Eisenhower's peacetime budget—to the latter's advantage. So Kerr pulls his statistics apart. It is a little cruel—but a great show. Th[illegible] big gilt committee mirror reflects th[illegible] three crystal chandeliers on into infini[illegible] Humphrey lowers his head and ma[illegible] bull rushes. The play might be called, "The Desanctification of Saint George."

Notes:

THE LOYD WRIGHT commission on loyalty-security programs comes up with some good ideas but we deplore the proposal to make it a crime for the press to publish information which the government labels "secret"; Harvard honored Barbara Ward (Lady Jackson) the other day at Commencement; we wonder that the University Overseers neglect Mrs. Roosevelt, surely the outstanding woman today in America. . . . A matter-of-fact AP account May 30, telling how a Montgomery, Alabama, all-white jury acquitted two youths who made, and then retracted, confessions of bombing four Negro churches had a lot to do with killing in the House the Southerners' trial-by-jury amendment to the pending civil rights bill; a bitter filibuster is now a real possibility—starting any time. . . . Congratulations to the Internal Revenue Service for cracking down on oil and gas propaganda advertisements which companies have been deducting as "business" costs.

T.R.B.

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New Republic

A JOURNAL OF OPINION

JULY 1, 1957

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Correspondance

► *The Calling of Tsuru*

SIRS:

IT IS a reflection on the provincialism of the American press that the travails of Professor Tsuru, which occurred while I was in Japan two months ago and which were front-page news in the Tokyo papers for over a week, received the barest notice, editorial or newswise, in the US. In the late 1930's, Shigemetsu Tsuru had been one of the bright graduate students at Harvard, a pupil and friend of the Marxist economist Paul Sweezy, and one of the founders of *Science and Society,* the Communist magazine which sought to extend Marxist researches. During the war, Tsuru was repatriated to Japan, held important posts in the Japanese economic ministry, and later in the Occupation. After the war he became a professor at Hitotsubashi University, and the leading

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Opinions

Not June against the Supreme Court—just its decisions. Senator Georgia, for example, interprets the Justices' decisions an unrestrained attempt to set themselves up as a nine-man dictate s nation." The Senator's father took a different line—22 years ago; Governor Talmadge was then organizing a Southern Committee to Uphold the Constitution—to preserve the high court from its enemies in the White House.

Democratic Representative Howard Smith of Virginia is so disgusted with the Court that he's not sure it is even worth while trying to amend the anti-subversive law which bears his name, for, as he points out, it has got to the point where the law is nothing more than "whatever the present court interprets it to be." That was exactly the complaint of the *Republicans* about a century ago, when they said that *Dred Scott* was not a decision, but "merely an opinion"—an opinion furthermore by which the Justices "sullied the ermine" and wallowed in the gutter of politics. Pre-civil war Democrats of the South couldn't see it that way at all. To them, the Court had decided honorably and wisely in *Dred Scott.*

To Senators Eastland and Jenner last week the June 17th opinions represent a "boundless assumption of power" by the Court; they warn that as a result "our liberties will be very much jeopardized in the years ahead." Their view is shared by Representative Walter (D, Pa.) who demands that Congress "assert its authority" and not permit the Court to tell the legislature what can and can't be done. Congressman Walter's outrage takes us back to 1935 and '36 and comparable annoyance over the Court's nullification of seven of nine major reform measures of the Roosevelt Administration. Had not the Court, liberals then asked, set itself up as third legislative chamber? Not at all, replied most Republicans, the Court is the savior of our liberties. Americans, wrote columnist David Lawrence, on February 8, 1937, "have accepted the doctrine that it is fundamentally unethical to refuse to respect an adverse decision," and he scorned those who wanted to "sock the umpire."

But the issue then was private property rights, not the rights associated with the First and Fifth Amendments. Today, David Lawrence writes that the "Supreme Court has now set itself up as knowing more about what Congress needs to know to legislate than Congress itself thinks it does." He deplores the fact that for the most part the Justices live "in a legal vacuum." "Naturally," he observes, their June 17th decision has made Moscow "happy." What we need, says Mr. Lawrence, is a constitutional amendment to limit the Court's power.

And that is just what Charles Beard thought in 1936. In an article in *The New Republic* on September 2 of that year, Professor Beard applauded the determination of those who were going to "seek an

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amendment of the Constitution, if within the range of providence a liberalization of the judiciary does not take place during the next four years." Three weeks later in this Journal, *TRB* wrote gleefully that a

> meeting of farm leaders here, ten days ago, bubbled with enmity for the Supreme Court. There seems to be real hope that organized labor and the organized farmers can cooperate on the Supreme Court Issue.

The comment that most accurately reflects our sentiments comes from a contributor now residing in England who wrote us to say that

> the recent decisions enable an American here to hold his head with pride once more. What has been lost for the United States, in the way of world esteem, by the Administration and Congress, is being won back by the Supreme Court. It is odd that that branch of government which has no diplomatic functions should be our best ambassador abroad. Odd though it may be, thank God it is true!

New Coalitions

IT HAS LONG been known that anytime the Republican leadership and liberal Democrats chose to get together behind a civil rights bill in the Senate, the traditional coalition of Southern Democrats and conservative Republicans could be defeated. At last that has happened. It has come about partly because more Republicans have become persuaded that the more Negroes who vote, the more Republican votes there will be. And partly because patient and skillful Democratic strategists have seen the political wisdom of following the President's lead in the civil rights fight.

In its very first try, the new coalition has forced the Administration's bill, already approved by the House, onto the Senate calendar—by-passing the Judiciary Committee and Senator Eastland in the process. A study of the test vote (45-39 with 11 not voting) on whether to employ seldom-used Senate Rule XIV to accomplish the by-pass indicates that the coalition has the potential strength to break the inevitable filibusters.

Under the incongruous joint leadership of Senators William Knowland and Paul Douglas, 45 Republicans and 11 liberal Democrats, with the benevolent aid of Vice President Nixon, out-argued and out-maneuvered the 34 Democrats and 5 Republicans whom the able Sen. Richard Russell of Georgia led in opposition to circumventing Eastland's jurisdiction. As a result, on about July 8 a motion will be made to bring up the bill, at which time Senator Russell and his followers are expected to begin their first filibuster—to prevent a vote on the motion. In the past, it has proved a practical impossibility to muster 64 Senators present and voting at one time for the purpose of cutting off debate, but this year the possibility of doing so is not as remote as the 45 vote total on the first test suggests. Seven of the 11 Senators not voting on the referral question indicated for the record that had they been present, they would have stood with the Knowland-Douglas forces. On the basis of the voting in the past, 10 to 12 of the 39 Senators who voted to adhere to the customary reference of bills to Committee—rather than using Rule XIV to bring the matter to the floor—are likely to vote with the civil rights side when the issue becomes before the Senate for final adoption of a civil rights bill. Moreover, there are more vigorous and voluble civil rights Senators today than in many years, men well able to stand the long hours and physical strain of wearing down the filibusterers.

If a civil rights bill is brought to a vote in the Senate, it will certainly be approved, though in all probability it will have attached to it an amendment requiring jury trials for any who seek to prevent a citizen from exercising his right to vote. The likelihood that the Senate will adopt the jury trial provision is greatly increased by the coincidence (set up by Lyndon Johnson) that the Hells Canyon dam issue reached the Senate at the same time civil rights was up for consideration.

Last year the bill for federal construction of one high, multi-purpose dam at Hells Canyon failed by only six votes—largely because Sen. Lyndon Johnson made no effort to help other than with his vote. This year, however, Hells Canyon had added interest to the Majority Leader. By tying it to a compromise position on civil rights, he could, at least, moderate the blow to segregationist Southerners. The vote on Hells Canyon is testimony to Johnson's skill. Five Southerners who last year voted against the dam voted for it this time. Senator Johnson personally prevailed upon Florida Senator George Smathers to follow his example and speak for the measure on the floor. And five Western Senators (Magnuson of Washington, Mansfield of Montana, Morse of Oregon, Murray of Montana and O'Mahoney

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of Wyoming) reciprocated by voting with the Southerners to refer the civil rights bill to the Eastland committee. It is anticipated that these five will later support a jury trial amendment, if and when that is proposed.

The maneuvering is far from over. For should the Senate add a jury trial amendment to the House bill, the House must then reconsider. And what if the House Republicans then decide that principle will not permit their accepting this compromise? If that happens, "politics" will have then reached its zenith and the majority of Negro American citizens in states like Mississippi will remain disenfranchised.

Oregon's Lone Ranger

"WAYNE MORSE is a friend of mine," said one Washington correspondent last week, "and I think he's a valuable man, but lately I've wondered if he hasn't jumped the rails." Morse provoked this comment—and others like it—by his last-minute defection from the strategy of 14 pro-civil rights Senate Democrats to keep the civil rights bill out of the deadly clutches of Eastland's Judiciary Committee. On Friday, Morse had said he would go along with the 14. Over the weekend he changed his mind.

Three explanations are given for the Oregon Senator's behavior, explanations which are not mutually exclusive. One: that he won some Democratic votes for the Hells Canyon dam bill, which directly concerns his own Northwest, by going along with the South. Two: Morse's dedication to "constitutional liberalism" compels him to resist any short-circuiting of Senate procedures and precedents. Three: he doesn't enjoy playing on anybody's team.

Morse's friends, who are at the moment his sorrowful critics, point to other puzzling behavior in recent months, even before the civil rights defection. Whatever may have been the demerits of the Eisenhower Doctrine, for example, the Senator's warnings against Executive encroachment, during the debate on the Middle East resolution, were exaggerated by any reasonable standard. His more recent battle against the President's foreign aid program made even less sense. For here he not only strongly supported the Long amendment to reduce funds for military aid (which could be justified by arguing that economic, rather than military aid, should be emphasized), but he also opposed the very features of the Eisenhower program for providing effective economic aid. The Administration's new Developmental Loan Fund, to illustrate, provides for the first time what foreign aid advocates have long sought: machinery for channelling development capital to economically less developed nations, especially those in Asia and Africa. Yet Morse tried to cut down the duration of the authorization for these development funds to one year. "We don't know," he complained, "what they are going to do with the $2 billion they (the Developmental Loan Fund) would have at their disposal." But the Fund would operate in much the same manner as the Export-Import Bank, and no one has heard Morse complain about not knowing what the Bank is going to do with the $5 billion at its disposal. Similarly, Morse opposed the size of the President's Special Assistance Fund on the ground that it gave unchecked authority to the President for allocating funds. Yet in fact there are more limits on Presidential discretion in this year's bill than in any such measure since the Marshall Plan, and in the past Morse himself has voted for aid bills which gave much more authority to the Executive than the present legislation.

All this perhaps explains why one now hears references in Washington to the "new Morse" (just as one

FROM THE

Congressional Record

MONDAY, JUNE 17, 1957

Bounteous, Golden Corn

MR. DOUGLAS: We in Illinois are particularly proud of our corn crop. Last year, we produced approximately 550 million bushels, more than any other state in the Union. In view of all this, perhaps our Iowa friends will be willing to allow us to take over their state song so that it will read:

Illinois, Illinois,
That's where the tall corn grows.

I should like to give a little background on how I became interested in making the golden corn tassel our national floral emblem. A great lady, often called the Jane Addams of Peoria, Ill., Julia Proctor White, offered the suggestion that I look into this matter. . . . Mrs. White has given me permission to use a poem written by her aunt, Miss Edna Dean Proctor, also a native Illinoisan, published first in 1892. I feel this poem sums up the argument for the golden corn tassel becoming our national floral emblem very well. . . . The last stanza reads as follows: :

The rose may bloom in England,
The lily for France unfold;
Ireland may honor the shamrock,
Scotland her thistle bold;
But the shield of the great Republic,
The glory of the West,
Shall bear a stalk of tasselled corn—
The sun's supreme bequest!
The arbutus and the goldenrod
The heart of the North may cheer,
And sunflower, cactus, and poppy
To sierra and plain be dear.
And jasmine and magnolia
The crest of the South adorn;
But the wide Republic's emblem,
Is the bounteous, golden Corn!

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hears comments about the "new Nixon"). Has Morse changed? We don't think so. He is simply behaving more like Morse. His first experience in politics was as a partisan of the LaFollette minority while a student at Wisconsin Law School. That type of daring but often pointless independence has always attracted him. Today, he appears driven even harder by the old compulsion to be in the minority. And when intellectual consistency lands him with the majority, his skill as a former professor of argumentation enables him to argue himself around into the minority again.

Morse has been right so often when he has stood alone that he may now be succumbing to the fallacy that to stand alone is to be right.

The Nation's Finances

THE Senate Finance Committee's investigation into the nation's finances will evidently be with us for a long time to come, and the first problem in assessing it will be to separate clearly the politics from the economics. So far, the politics have dominated.

It really is not of major importance whether the Eisenhower Administration has or has not increased the national debt by a few billions, whether it has or has not "reduced government spending," whether inflation was worse in the past year than in certain periods of the Truman Administration. Resolution of all these points —which have been the center of the early debate— depends mainly on the old statistical trick of picking different base dates. There is no doubt that Treasury Secretary Humphrey, in his massive defense of the Administration's record, used the trick to make the record look better; his Democratic challengers are quite properly exposing the trick, but they are not above using a few themselves.

Far more relevant is the question of the fundamental rightness or wrongness of the Administration's current policies—not its past record—in meeting an economic situation that is in many respects unique. It is a paradoxical situation of inflation combined with slack business in industry after industry; of rising prices in the face of the most severe money pinch since the early 1930's; of a widespread public belief that wages must rise each and every year; of "price leadership" in many important industries which makes a mockery of the traditional concepts of competition (all of the "big five" cigarette makers raised their prices on the same day, and steel will do the same in the next few weeks). The situation has been quite properly labeled "the new inflation," and the real issue before the Senate Finance Committee is whether the Administration is following the right policies in combatting it.

Secretary Humphrey and the Federal Reserve Board insist that it is really the same old classical inflation, with excess demand competing for scarce resources and bidding up prices. Thus they defend tight money, as one of the best methods of restraining demand. But as Democrats on the committee have begun to point out, it is almost ridiculous to use the concept of "scarce" resources when there is scarcely a single situation of shortage in the economy (nickel and heavy steel plate are about the only examples of any consequence). Meanwhile tight money—justification, perhaps, if this were indeed a classic inflation—is wreaking many of its traditional hardships and distortions on the economy.

The committee, we hope, will explore with care the current great debate over "wage inflation" and whether unions are the key culprit; the issue of "administered prices" in wide sectors of the industry; and other aspects of the new inflation. The old Aldrich investigation in 1908 was necessary because the nation's financial *institutions* were clearly inadequate. The present Byrd investigation's main justification is that the nation's economic *theories* have not caught up to the kind of economy that characterizes the United States in the middle of the Twentieth Century.

Disarmament Fears

FEAR more than faith moves the negotiators who are still meeting in London, seeking a first step toward arms limitation and control. Take the Russians. Although they believe they have pulled even with the US in the race for knowledge gained from nuclear bomb tests, they are said to assume that they lag behind us in the building of a nuclear stockpile. Hence, while the Russians are willing to suspend tests, they fear a ban on continued manufacture of fissionable materials.

Moreover, since the Russians have been told that our government intends to supply nuclear missiles to European allies, Moscow fears an initial inspection zone that does not include Western Europe. The Soviets fear also the unpredictable consequence of any new nuclear "fourth nations" emerging. Colonel Nasser is worrisome now. But Nasser with an arsenal of A-bombs?

Our diplomats and military leaders are haunted by another fear: that the American people will let down their guard, forcing a further reduction in defense expenditures, in response to a first-step arms agreement with the Russians which only deals with fringe issues and not with the big threat to our safety—the use of nuclear weapons in war. The Administration's fear was not allayed by the recent cutting by Congress of all funds permitting federal agencies to cooperate with the states on civil defense. If disarmament is around the corner, Congress may have reasoned, why waste money on preparing against attack?

Fear also has our European friends in hand. Chancellor Adenauer fears a Central European inspection

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plan would freeze the present division of Germany, soften the will to resist the Communist evil, and eventually detach the West Germans from NATO. France fears a "fourth power" ban on testing that would commit her permanently to inferior status. Great Britain (with two H-bombs tested) worries that a test suspension now would prevent her gaining the military knowledge now held by the US and the USSR.

As for the rest of the world, which does after all include 85 percent of the world's population, it can properly express a fear which is at least as justified as the others: that if the first step toward agreement is not achieved soon by the Great Powers—before the manufacture of the intercontinental ballistic missile—it may prove impossible to devise any scheme for controlling the manufacture and use of fissionable materials.

Worthy and Stevens

PERHAPS the State Department hopes that everybody will forget the fact that about five months ago it instructed the American Ambassador in Moscow to pick up the passport of *Look* correspondent Edmund Stevens and stamp it "good only for return to the United States." That was to be Mr. Stevens' punishment for having gone to Communist China against the Department's wishes.

But his passport was not so stamped, nor is there any sign that it will be. The hearing before the appropriate passport officials of the Department which Mr. Stevens requested more than four months ago and to which he is entitled has not been held, nor has any date been set for it. Mr. Stevens is free to go about his business.

The same cannot be said about William Worthy of the *Afro-American* newspapers. He too went to China in defiance of the Department, and when his passport expired in early March he was unable to get it renewed; which means that Worthy, whose Nieman Fellowship at Harvard has just ended, cannot proceed with his planned trip to Ghana to cover the Pan-African Conference in October. Six weeks ago, Worthy appealed the Department's decision: no action to date.

The Stevens and Worthy cases are not identical, but they are certainly comparable. Both newsmen disregarded the same Department regulation; in both instances the Department retaliated by announcing it would henceforth limit the correspondent's right to travel outside the US. In the Worthy case, the Department made good its threat. In the other case, it has done nothing.

It is possible, of course, that the Department may yet deprive Edmund Stevens of his livelihood—which requires foreign travel. But we suspect this is an instance where what you do matters less than who you are. Mr. Worthy is backed by no irresistible influences. Mr. Stevens, on the other hand, fortunately represents a magazine with the impressive circulation of over 4 million. And its publisher is a respectable but not easily-cowed Republican who is both willing and able to fight the Department, if a fight is forced upon him.

The Two Vietnams

THE ACCURACY of a report on Vietnam in the May 10th *New Statesman and Nation* is certainly open to doubt, stating as it does that the Communist-controlled part of Vietnam "is developing at a much faster speed than the south, with only one-third the amount of foreign aid."

While the *New Statesman* notes that the south receives $252 million annually in American aid, as contrasted with combined Chinese and Soviet aid to the north of $81.2 million, it fails to point out that the Chinese-Soviet figure applies only to economic aid. We do not know the exact amount of Communist military support which goes to the north, but we know it is sizable: the economic position of the north would not permit the maintenance of a very large military force without outside help; and the armies of the north are more than twice the size of those in the south.

It is true that the industrial development of Free Vietnam is proceeding very slowly, but not for the reasons given in the *New Statesman*. The government of President Diem turned its attention only last year to economic problems, having sensibly concentrated before that on unifying the country politically. Burma is a good example of a newly independent nation where that priority was not followed, and where, consequently, many economic reforms were written in water.

The *New Statesman* report criticizes the American aid program for not having stimulated industrial development in the south. Two things need to be said: In the first place, the wealth of the south lies in its agricultural resources, and thus for sound reasons the emphasis of foreign aid is on the country's agricultural rehabilitation. But in the second place, 1957 *will* see the starting of new industries—sugar-refining, glass, textiles, cement.

A major problem in Free Vietnam, unmentioned by the *New Statesman*, is the severe shortage of trained personnel in every field. The other retarding factor is that Free Vietnam, unlike Communist Vietnam, cannot and will not impose upon its people the kind of regimentation which in the short run produces industrial plant, but which in the long run produces dissatisfaction and unrest.

SUMMER SCHEDULE

The New Republic **is now on summer schedule and will not appear next week. The next issue will be dated July 15.**

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The Superficial Aspect

The Hangman Cometh

LAST MONTH there was a young biochemist in California who thought he was on to something important. He had discovered what appeared to be a physical link between cancer, certain forms of heart disease, and schizophrenia—three of the worst among the horrors that afflict the human race. The young man may have been a nut; as a layman I have no opinion on that point; but his project looked good enough to induce the American Cancer Society to put up $4,800 a year to keep him working at it. The American Cancer Society figures that even a faint hope of getting at the cause of that affliction is worth a lot of money.

But this month the young man is working no longer. He will never work again. He is dead and the hope that he represented is extinguished. He seems to have died by his own hand because his great ambition had been destroyed and without it life was no longer worth living. It was his aspiration to become a great research scientist, which meant being employed by some research institution, presumably a university. That aspiration had been wiped out by a summons to appear for questioning by the House Un-American Activities Committee.

All over the country Holy Willies will instantly begin to whine that the fellow was all wrong, that no man is really hurt by such a summons. They lie. Perhaps some of the snivelling hypocrites don't know that they are lying, but they could know it, and decent people do.

To become a really great research scientist is appallingly difficult under the most favorable conditions. Thousands aspire to it, but those who make it in any generation you can number on your fingers and toes. In biochemistry, for instance, you must spend many years working with enormously expensive laboratory equipment, which means that you must be employed by a university.

But if this young man had lived, whenever he applied for employment by a university, some fathead on the board of trustees would say, "Wasn't this fellow questioned by the Un-American Activities Committee? I think we'd better hire somebody else." It would not make the slightest difference why he was questioned; the fathead would not go beyond the simple fact. A career in research science, difficult at best, would be impossible under such a handicap. An older man already famous for his brilliant achievements, an Edward U. Condon, a J. Robert Oppenheimer, may survive although he is crippled by such an incident; but a youngster just starting his career is professionally dead the moment he is subpoenaed.

Yet, this imperfect world being what it is, the hangman must earn his fee and Congress must investigate. We cannot well do away with either; but we realized long ago that Jack Ketch has a villainous job, however necessary, and we have gone to great pains to minimize it. We no longer hand a man over to Jack for "imagining the king's death." If imagining that shooting the President would be a good idea were a capital crime, how many members of the American Bankers' Association would have survived the Roosevelt Administration? We didn't execute Zangara even for actually trying it, but because in the effort he did kill the Mayor of Chicago.

A young squirt in college who at 19 years of age imagined that Communism is a better system than democracy is infinitely less criminal than a business man who, at 50, ordered champagne when the death of Roosevelt was announced. Yet the Un-American Activities Committee is steadily sentencing men to professional death, which sometimes brings on physical death, for just that offense.

If we are determined to continue this form of execution we ought, as a civilized people, to surround it with the forms of decency that we use in executions by the rope. I do not go so far as to suggest that members of the committee, when they question a man about his opinions, should adopt Jack Ketch's custom of covering his face with a black mask, although that might not be a bad idea; but I do suggest that the committee should not be applauded for killing a career that ought to be preserved as a matter of national defense.

I AM sure that if I had cancer, and if I believed that a Communist doctor could cure it, I should be violently opposed to hanging that doctor, or driving him out of practice. I should oppose it, even if it were proved that the doctor had no more respect for a Congressman than for a cockroach. The young Californian couldn't cure cancer, but he did seem to be on the way to learning something about it that hadn't been known before, and the more we learn about it the better our chances of discovering a cure. To that extent his destruction should be regretted and resented by every victim of the disease; and they should visit that resentment on the politicians who are recklessly destroying professional careers.

GERALD W. JOHNSON

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The Supreme Court's June 17th Opinions

ALAN BARTH

CIVIL liberties have come back into fashion. In an extraordinary quartet of opinions handed down on Monday, June 17, the Supreme Court reaffirmed and revitalized its traditional role as the guardian of individual rights against arbitrary governmental authority. It imposed checks upon the investigating committees of Congress and a state legislature, upon the application of a federal statute, and upon the personnel policies of the Executive Branch of the government. Through all these decisions runs a common dominant theme: that national security is not to be achieved by overriding the freedoms guaranteed by the Bill of Rights.

The decision in the *Watkins* case is perhaps the most significant of the four because it arrests a power directly exercised by Congress itself—a point Professor Kalven elaborates in his comments which follow mine in this issue. The Court has said repeatedly, in half a dozen decisions since 1880, that the power to investigate is a limited power, subject to the same limitations which the Constitution imposes on the power to legislate, of which it is an adjunct. In reversing the conviction of John T. Watkins for contempt of Congress, however, the Court drew new and more meaningful boundaries for the application of this power.

"We have no doubt," the Chief Justice said for the Court,

> that there is no Congressional power to expose for the sake of exposure. The public is, of course, entitled to be informed concerning the workings of its government. That cannot be inflated into a general power to expose where the predominant result can only be an invasion of the private rights of individuals.

But from its very inception 20 years ago, the House Committee on Un-American Activities regarded exposure of individuals—and punishment of them through "pitiless publicity"—as its principal purpose. It aimed, expressly, to punish by investigation what the Constitution forbade Congress to punish by legislation.

The committee has operated as a kind of itinerant *auto-da-fe,* intruding its inquisitorial nose into almost every aspect of American life, unrestrained by any jurisdictional limitations imposed upon it by the House and

"Can you see me now?"

unconcerned about rights of privacy or immunities from governmental regulation. The failure of the House to define its function or to discipline it in any way left its jurisdiction so vague, the Court concluded, that witnesses called before it have no means of determining whether questions put to them have any relevancy to a legitimate legislative purpose. It was on this vice of vagueness that the Court rested its reversal of Watkins' conviction. But the whole tone and much of the content of Chief Justice Warren's opinion warned that "abuses of the investigative process may imperceptibly lead to abridgement of protected freedoms" and asserted "the responsibility placed by the Constitution upon the judiciary to insure that the Congress does not unjustifiably encroach upon an individual's right to privacy nor abridge his liberty of speech, press, religion or assembly."

This emphasis on First Amendment rights was fortified by the Court's decision on the same Monday, in the *Sweezy* case revolving around the refusal of a university professor to tell the New Hampshire legislature about the nature of his past expressions and associations. The demand for such information, the Court declared, "unquestionably was an invasion of petitioner's liberties in the areas of academic freedom and political expression—areas in which government should be extremely reticent to tread."

The decision in the *Watkins* case in no sense strips Congress of its power to investigate. It merely requires

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the House or Senate, when it delegates this power to a committee, to define the area of investigation; and it requires the committee to remain within that area. In addition, it makes clear that the object of investigation must be information desired by Congress, not the establishment of a public pillory. The Un-American Activities Committee, as presently conceived, cannot possibly operate under these strictures.

THE *Yates* and *Service* decisions have a narrower impact. In the *Yates* case, the Court upset the convictions of some California Communist leaders under the Smith Act—but without repudiating its 1950 decision in the *Dennis* case which held the Smith Act to be constitutional. What Justice Harlan seemed to be trying to do was to restore to the clear-and-present-danger doctrine some of the original meaning given to it by Justices Holmes and Brandeis and almost completely drained from it by Chief Justice Vinson. He attempted to do this, without ever using the clear-and-present-danger phrase, by refining the definition of the kind of advocacy which the Smith Act makes punishable. Men may be punished for advocating overthrow of the government by force and violence, the Court now emphasizes, only when those to whom the advocacy is addressed are urged, "to do something, now or in the future, rather than merely to believe in something." This is, no doubt, a useful distinction. But, as Justice Black pointed out in a critical concurring opinion, "defendants could still be convicted for agreeing to talk as distinguished from agreeing to act." Perhaps the chief significance of this decision lies in its indication that the Court is now profoundly concerned about peacetime sedition prosecutions and is disposed to scrutinize them with great care.

The significance of the *Service* decision—which comes five and a half years after John S. Service was discharged from the Foreign Service by Secretary of State Dean Acheson—may be limited to Mr. Service himself. By finding that his discharge was invalid, it affords him a measure of vindication and makes him eligible for back pay and reinstatement. But the McCarran Rider under which he was discharged has been repealed; and the Truman loyalty-security program under the procedures of which he was "cleared" on six separate occasions, has been replaced by the Eisenhower program. There may be some utility in this decision, nevertheless, by reason of its plain warning to the Administration that federal employees may not be arbitrarily or wantonly dismissed and defamed.

In an important sense, all these decisions are tragically belated. The excesses they curb should have been curbed a decade ago. In the late 1940's, the Supreme Court rejected several petitions to review decisions by Courts of Appeals dealing with encroachments on First Amendment rights by the House Un-American Activities Committee. In the *Barsky* case in 1948, for example, Judge Henry Edgerton of the Court of Appeals for the District of Columbia set forth in a dissenting opinion very much the same line of argument that was developed by Chief Justice Warren last week in the *Watkins* case. Judge Edgerton, joined by Judge David L. Bazelon, made this same argument in dissent when the *Watkins* case came before their court a year ago. Had the Supreme Court adopted their reasoning in 1948 instead of in 1957, Congressional investigating practices might have been brought within proper limits then instead of now. Many injustices to individual witnesses and a number of convictions for contempt of Congress might have been avoided.

Had the Warren Court instead of the Vinson Court considered the *Dennis* case in 1950 in the light of the fervor for individual rights expressed in the *Yates* case in 1957, the Smith Act might have been held invalid. Had the Warren Court reviewed the *Dorothy Bailey* case in 1951, the result might have been—instead of the indecisive four-to-four division of the Vinson Court at that time—a clear pronouncement that government employees could not be stamped with the stigma of disloyalty without the full protections of due process of law.

But, of course, no one can say with any certainty what the Warren Court would have done a decade ago; in-

Mr. Justice Black

I WOULD reverse every one of these [Smith Act] convictions and direct that all the defendants be acquitted. . . . The kind of trials conducted here are wholly dissimilar to normal criminal trials. Ordinarily, these "Smith Act" trials are prolonged affairs lasting for months. In part this is attributable to the routine introduction in evidence of massive collections of books, tracts, pamphlets, newspapers and manifestoes discussing communism, socialism, capitalism, feudalism and governmental institutions in general, which, it is not too much to say, are turgid, diffuse, abstruse and just plain dull. Of course, no juror can or is expected to plow his way through this jungle of verbiage. The testimony of witnesses is comparatively insignificant. Guilt or innocence may turn on what Marx or Engels or someone else wrote or advocated as much as 100 years ago. Elaborate, refined distinctions are drawn between "communism," "Marxism," "Leninism," "Trotskyism," and "Stalinism." When the propriety of obnoxious or unorthodox views about government is in reality made the crucial issue, as it must be in cases of this kind, prejudice makes conviction inevitable except in the rarest circumstances.

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deed, no one can say with certainty that the Vinson Court, sitting today, would not have reached the very results that were reached on Monday, June 17. The differences between the two Courts cannot be ascribed to differences in personality and outlook alone. The climate of opinion in which they operated is a powerful factor, too—and perhaps the determining factor.

It is an attribute of judicial statesmanship to wait until time has ripened the readiness of society to accept new directions in the law. The panic atmosphere of a decade ago no longer prevails in anything like the same degree. Perhaps the real significance of the Court's June 17 Opinion Day lies in its reflection of a renascence among Americans of faith in their own institutions, of respect for the dignity of the individual, and of recognition that the only valid function of national security, after all, is to sustain those fundamental human rights which the founders of this nation believed that free governments are instituted to secure.

HARRY KALVEN, JR.

A FEW WEEKS back in these pages I had occasion to review the then existing law on the powers of Congressional investigating committees, with the facts of the Arthur Miller contempt trial as the special focus. I concluded by saying:

> . . . the Supreme Court, after carefully avoiding these issues during the past decade, will soon decide the *Watkins* case. In so doing it will in all probability also cover the issues in the *Miller* case. I doubt if Mr. Miller will win. But I hope very much I am mistaken.

The Supreme Court has now decided the *Watkins* case favorably to Watkins—and, by implication, to Arthur Miller. My hope has been realized.

In the *Watkins* decision, the Court re-directs our attention to the exact definition in federal statute of the crime of contempt: it is the refusal "to answer any question pertinent to the question under inquiry." In *Watkins*, the Court is unable to discover from the record what the question under inquiry was, particularly as viewed by the witness at the time of the Congressional hearing. The witness was therefore left, concludes the Court, with no adequate guide as to whether the question he refused to answer was pertinent or not; moreover, he was left with no adequate guide as to whether his conduct in refusing to answer would be a crime or not. Such vagueness in the application of criminal sanctions, so the Court argues, violates the due process clause of the Fifth Amendment.

Now the Court recognizes that the balancing of the Congressional need for information and the individual interest in privacy is "an arduous and delicate task for any court," but the opinion repeatedly indicates that the Court, and not Congress, is the final arbiter of the matter. The Court begins with the basic authorization from Congress to the House Un-American Activities Committee, an authorization which has remained unchanged since 1938. "It would be difficult," says Justice Warren, "to imagine a less explicit authorization. Who can define the meaning of 'un-American'? What is the single solitary 'principle of the form of government as guaranteed by our Constitution'?" What is important here is that the Court takes that famous authorization for what it really is—a blank check from Congress to the committee. It concludes that the initial control of the House over the committee has been "slight or nonexistent." The opinion is thus in part a judicial lecture to Congress on the responsibility of Congress for the guidance of its committees.

I think it is a fair reading that the Court will not permit Congress to set up committees free to investigate what, when, and whom they please. The opinion seems as much concerned with the dilemma of a court, when the committee authorization is so vague, as it is with the dilemma of the witness. The theory of the decision then, as I read it, comes to this: The Court is willing, and perhaps even eager, to defer to sober Congressional judgment that certain given information is needed by Congress. But it will do so only if Congress will in fact exercise such a judgment. If Congress does, the pertinency requirement can then function as an important safeguard against the whims and arbitrariness of individual investigating Committee members; it can function as a safeguard because the Court can subsequently tell whether the questions asked were pertinent or not. The *Watkins* case is thus a logical companion to the *Rumely* decision a few years back where the Court did make serious use of the pertinency yardstick.

Suppose now Congress were explicitly to authorize a committee to investigate Communism in the labor movement. Would a witness then have to answer the questions about past associates which were put to Watkins? I am inclined to think the answer is yes. Does this then make the *Watkins* decision only a formal victory which Congress can quickly overturn? There are several reasons why this may not prove to be the case. First, such an inquiry might never be authorized by Congress for the Court decision has armed in an important way the members of Congress who may wish to scrutinize the need for new investigations with greater care. Second, and more important, the *Watkins* case may have permanently changed the political structure of Congressional investigating committees. It may require a decline of the standing committee, the patronage of which is inherited on strictly party seniority lines, and the rise of the *ad hoc* inquiry which cannot last forever.

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This change from permanent investigating committees to temporary ones with more limited and explicit purposes would prevent a Congressional committee from being owned in the sense that McCarthy, Jenner, Eastland, and Walter have tended to own committees in the past. And this might be a very great and salutary change. Finally, it is important to note that once more the committee—and not the witness—is losing the battle of publicity. The decision if it does nothing more should shatter in the minds of the public and the press the image of the omnipotent inquest.

It is the special flavor of the *Watkins* case, as it is of the *Arthur Miller* case, that the witness was candid about himself and refused only to tell about associates of many years past. The Court has little to say about this aspect and might equally have decided in Watkins' favor had he refused to talk about himself. There remains unsettled, therefore, the highly interesting issue of whether the Court would find such questions pertinent under an explicit and clear committee authorization, or whether it would find the information requested too stale.

LET us push our speculation one step further. Suppose Congress were in its authorization specifically to request a review of Communist activities over the past 20 years. The Court could no longer deny the questions were pertinent to the inquiry Congress requested, and it would be forced back to the constitutional issue of whether such information could serve a legitimate legislative purpose. This was the chief point Watkins had argued, coupling the staleness of the questions he was asked with considerable data on the *realpolitik* of the Committee. The Court restates his argument, but then carefully observes: "But a solution to our problem is not to be found in testing the motives of committee members for this purpose. Such is not our function." The opinion, as anticipated, contains some useful reminders that it is not the function of Congressional committees to try cases or to enforce laws; there is a condemnation of exposure for exposure's sake, and a surprisingly strong reference to investigations "conducted solely for the personal aggrandizement of the investigators." But the opinion is less clear than might have been hoped on whether informing the public is a legitimate and sufficient function of a committee. My guess is that the Court is loath to get into the question of whether an investigation has in fact no legislative purpose and hopes to obviate such questions by a stern reliance on the pertinency criterion.

Although Justice Clark in dissent appears to interpret the majority as in part resting its case on First Amendment grounds it is difficult to find that they do so. There is however an unexpected and powerful statement about the possible interferences with free speech and assembly:

> Abuses of the investigative process may imperceptibly lead to abridgment of protected freedoms. The mere summoning of a witness and compelling him to testify against his will about his beliefs, expressions or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous. This effect is even more harsh when it is past beliefs, expressions or associations that are disclosed and judged by current standards rather than those contemporary with the matter exposed. Nor does the witness alone suffer the consequences. Those who are identified by witnesses and thereby placed in the same glare of publicity are equally subject to public stigma, scorn, and obloquy. Beyond that, there is the more subtle and immeasurable effect upon those who tend to adhere to the most orthodox and uncontroversial views and associations in order to avoid a similar fate at some further time. That this impact is partly the result of non-governmental activity by private persons cannot relieve the investigators of their responsibility for initiating the reaction.

The recognition of the threat to the First Amendment here serves chiefly to emphasize the basic issue of vagueness; yet the passage is a full acceptance of the thesis that an investigation itself can impair free speech—a thesis advanced by Judges Clark, Edgerton, and Prettyman almost 10 years ago and by Justices Black and Douglas in the *Rumely* case more recently.

Finally, in the *Watkins* case, the Court not only looked to the authorization of the Committee for clues as to the scope of Congressional inquiry, but also carefully considered the authorization from the parent committee to the subcommittee, the statements of the chairman at the start of the hearing, the chairman's response to Watkins when he declined to answer, and the general course of the questioning. While it found all these equally ambiguous in this particular case, it conceded that other cases might differ significantly in these details, even though the basic committee authorization remained equally vague. However, the record at least in the *Miller* case seems highly similar to the *Watkins* record and this time I think it highly probable Miller will win. It might be noted that this part of the Court opinion leaves matters in a somewhat unsatisfactory state, since it is difficult to see how, for example, the chairman's clear statement of *his* purpose can be tested against the purposes of Congress, so long as the authorization from Congress to the committee remains as vague as it does here.

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Facts About Fallout

The 5,000 pages of testimony on radiation from nuclear bomb tests which Congress gathered in its inquiry from May 27 to June 7 gives us the most complete public library on this subject ever assembled. A very small part of the evidence has reached the American people thus far through newspaper and newsmagazine accounts—though journalistic coverage of these hearings was thorough when compared with the attention paid to the majority of Congressional investigations.

The complete record will not be published for another two months, but the four-foot pile of papers—stacked in a basement room of the Capitol in Washington, directly under the dome—is already available to scientists and writers. It is from that accumulation of papers that the following report has been compiled by the editors.

ON THE last day of the recent radiation hearings before the Joint Committee on Atomic Energy, the following exchange took place between Rep. Chet Holifield (D, Calif.) and a witness, Dr. Charles L. Dunham of the Atomic Energy Commission:

> *Rep. Holifield:* Has this committee been presented with all the pertinent information in regard to strontium-90 which is in possession of the AEC?
>
> *Dr. Dunham:* This constitutes the present body of knowledge of the AEC on the contamination of the environment by strontium-90.
>
> *Rep. Holifield:* So there has been no withholding.
>
> *Dr. Dunham:* We have presented you with all the material we have developed.

It is fair to conclude that if this inquiry did not produce all the answers which the Congress and the public sought, it is because the scientists themselves are not yet in possession of sufficient data. They themselves are exploring a frontier of knowledge—one in which the disciplines of physics, meteorology, soil chemistry, biology, and the medical sciences intermingle. A working knowledge of each of these special branches of science is required of anyone who presumes to come to general conclusions about the hazards of nuclear bomb fallout. All these disciplines were represented among the 40 witnesses at the 8-day hearing.

For a Congressional investigation, this assembly of experts was extraordinary. It was a carefully planned scientific inquiry, proceeding in proper order from a 30-page outline and questionnaire which had been sent to all witnesses in advance. There were no surprise questions. The witnesses themselves had been selected after wide consultation among the scientific community. And since 35 of the 40 participants were either employees or contractors of the Atomic Energy Commission, there could be no basis for charging that the hearing was organized to embarrass the Administration. The hearings were almost wholly free from politics, so much so that both Republicans and Democrats praised the chairmanship of Rep. Holifield, and the professional skill of the younger physicist, Dr. Hal Hollister, who had prepared the outline, and directed the roundtables in which scientific differences were narrowed.

Dr. Dunham, the witness quoted above, is director of the Division of Biology and Medicine for the AEC, in charge of the research program which traces the movement of harmful bomb particles from the mushroom cloud into the earth's atmosphere, thence to the soil, to plants, to animals, to the human dinner table, and finally to skeletal deposits. It is his division which is most directly concerned with the most important question the Congressional inquiry hoped to have answered:

> How much radiation from cosmic rays, medical X-rays and weapons tests combined can man tolerate before this radiation does appreciable harm to the life span and health of the present generation, and brings about a significant increase in deformed children born in succeeding generations?

There was no clear and concise answer. Nevertheless, the government research program on atomic fallout, which Dr. Dunham outlined to the Congressional Com-

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mittee, is much more impressive than the public has had any reason to believe.

For example, daily specimens of bomb debris fallout are gathered on gummed paper at 94 stations in the US and 75 foreign countries. Similar sampling with stainless steel pots, a newer method, has now been established at seven points in the US and 14 abroad. Testing of bomb debris in the soil was made in 39 countries by the Department of Agriculture in 1956, and expanded this year. Sampling of the Pacific Ocean in relation to weapons tests (with Japanese help) is extensive.

"We endeavor to follow the radioactive material as it moves along with the current," Dr. Dunham said.

At Gongelap Atoll, in the Pacific, scene of some of the megaton bomb tests, there are annual follow-up studies of soil, plants, animals, seafood, and the human population.

The world-wide collection of human bone samples from autopsies, and the measurement of bomb debris deposited in them, is concentrated at Lamont Laboratories in New York City.

In order to test bomb debris in the stratosphere, weather balloons are sent to altitudes of 50,000 to 90,000 feet, where attached instruments filter radioactive particles from a defined volume of air, and bring the specimen back to earth. The balloons are launched from Minneapolis, San Angelo, Texas, and an airforce base in Panama.

Samples of milk are regularly tested in Chicago and New York, and less frequently at other milk sheds, to determine the degree of contamination by strontium 90, a bomb particle. Other kinds of food are tested by the Department of Agriculture, and this food analysis is being extended world-wide.

In addition to charting the movement of bomb particles, the AEC has a series of studies on radiotoxicity —that is, how harmful is nuclear debris to animals and man? At the University of Utah a study has been going on for six years to determine the life-time accumulation of bomb fallout materials in dogs—dogs having been chosen because their bone development closely resembles the human pattern. On the Davis campus of the University of California, a womb-to-womb study of dogs has just begun: the mothers are fed strontium-90, and as soon as the pups are born they are given strontium-90 throughout their lifetime. But it will be 15 years before definitive results are obtained.

A half dozen new projects are just getting under way for determining the discrimination of the digestive system in absorbing calcium and strontium-90 in the diet. This, the hearings demonstrated, is one of the important unknowns in our study of radiation. For while man obtains most of his calcium from milk products, he gets less of his strontium from this source than one might assume, and this is because the cow's digestive system rejects 6/7ths of the strontium in the cow's diet. By contrast, vegetables which man eat show a greater capacity to absorb the radioactive poison. In the case of the human body, the precise measurement of the absorptive process, and especially the wide variation between individuals, are still unknown.

Researchers have also gone into the question of how to treat the human body after it is injured by radiation, and are experimenting with a prophylactic "pill" which will guard against the extreme effects of radiation. To illustrate, Oak Ridge National Laboratory has developed a bromide salt called AET which has doubled the resistance of rats, mice and monkeys to radiation, but dogs will not tolerate it, and it is doubtful that man could take a sufficient quantity without injuring himself. Nevertheless it is being tried as a treatment for radiation sickness among cancer patients. The chief difficulty is that it must be taken in advance of exposure, and though it might be of value to troops going into battle, when the time of radiation exposure is known in advance, it would be of no help to a general population attacked by surprise. It cannot be taken habitually. Another treatment, if attempted within 48 hours after extreme exposure to radiation, is the transplanting of bone marrow. This has been done only within the past few months in the US, using patients whose marrow was injured by radiotherapy during cancer treatment. The AEC expects to know shortly whether this might be a feasible technique in time of disaster.

Another approach to treatment is the search for a chemical agent which will remove radioactive particles from the bloodstream before they are deposited in bones. Two chemicals have been found which will divert the bomb particle plutonium away from bone and into the urine, but none has yet been found for the removal of strontium from human bones, once deposited there, although experiments toward that end are going on at Los Alamos.

Investigation of how civil defense workers can decontaminate a fallout area after attack has produced some results. A small object like an automobile can be decontaminated by soap and water. The roof of a house can be rendered safe with an ordinary water hose, so long as the material is washed some distance away from the building, but if the material is allowed to build up at the edge of the building, it may actually be more radioactive than if it were left alone. Researchers have tried spraying the fallout area with asphalt spray, then bulldozing the debris, a method which proved effective but uneconomic for large areas. Farmers can treat contaminated land only by deep ploughing, thus diluting the strontium in the top soil. Contaminated milk can be treated by removing all the calcium and strontium, and then adding uncontaminated calcium, but this is costly.

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"I think the listing of research projects which you have made in this speech," commented Rep. Holifield at the end of Dr. Dunham's testimony, "will reassure the American people that there is a deep concern and a very wide range of studies."

If the reader is less "reassured" than he would like to be, it is no doubt because the Congressional inquiry exposed the gaps in knowledge but provided few firm answers to anxious questions. The scientists' greatest contribution may have been in helping the Congress understand why some of the questions are so hard to answer.

Take for example one of the key questions of the fallout problem: when strontium-90, one of the cancer-causing bomb particles, is blown out of the earth's weather-zone into the stratosphere, which begins from 6 to 12 miles above the earth's surface, how long will the bomb particles stay up there and at what rate will they drift down to earth? The best answer is that 4-to-7 years are required for half the strontium to fall. Why the uncertainty? Because, in order to get an accurate measurement, we must know the exact amount of strontium blown up there by American, Russian, and British bombs; then we must determine over how wide a zone it is falling and with what variations of intensity; and finally, from measuring the amount of strontium in the soil, we can tell how long the fallout will continue. But none of those factors can be established with certainty.

Or take the question whether cow's milk has become hazardous as a food for American children. One scientist testified the hazard was "negligible" and he would certainly feel safe in giving milk to his three children. Another scientist replied: "Suppose you assume the chances of a child contracting cancer from milk is one in a million. That is certainly negligible, as a personal risk. But when you apply the ration of 1-in-a-million to the world population, you find 3,000 cases of cancer resulting from cow's milk."

THEN there are the various suppositions the scientists derive from medical history: the US Government is basing its assumptions about how strontium-90 will affect man entirely on the previous experience with radium-236. Why? Because strontium-90 is a new element, unknown before the nuclear bomb, and is assumed to behave like radium. But our experience with radium is based upon a relatively small sample of persons—very small compared to the world population, and the measurement of tolerance for radium was based almost entirely upon observation whether the patient developed any adverse symptoms during or shortly after treatment. Research has been inadequate whether radium treatment of children under 15, for example, while causing no ill effects at the time, has appreciably shortened their lives or caused abnormalities in offspring.

So it makes a great deal of difference whether the scientist is testifying upon measurable risks to the individual *today*, or whether he is talking about the epidemiological effects upon 2.6 billion people, over the next generation. "Actually, our concern should focus not upon acute effects in man, which are highly unlikely from peacetime bomb testing, but rather with the chronic debilitating, long-term effects, say 50 years after the entry of radioelements into the body." That was the comment of physicist Ralph Lapp, a writer whose article in the *Bulletin of Atomic Scientists* for February, 1955, first broke the story of the fallout menace produced by the Bikini superbomb burst of March 1, 1954. The AEC announcement followed Lapp's article by several weeks and almost a year after the bomb test.

If the layman accepts this yardstick for measuring long-range damage, he will find a number of points on which the scientists do agree, and the consensus on these points helps to clarify the degree of hazard:

1. The fallout of bomb particles from the stratosphere, which continues for 40 years after each big bomb tested, is not uniform around the world, as had previously been assumed by the government. It is concentrated in some areas by rainfall, and possibly by high altitude air currents. The Northern Hemisphere gets much more than the Southern, the high rainfall areas much more than the arid zones. This is confirmed by balloon testing of air at high altitude, by soil sampling, and by examination of human bones. This newly verified variation may substantially change the danger level for contaminating the atmosphere.

2. Geneticists agree there is no "safe" level of radiation. Even a small amount produces some adverse changes in future generations.

3. As to the increase in bone cancer and leukemia in this generation from strontium-90, scientists do not know whether there is a "safe level," or a threshold, below which no damage occurs. The majority of experts assumed there is no safe level, even though the increased incidence of cancer cannot yet be proved. This assumption contradicts the "safe level" on which present government policy rests.

4. The number of persons who could be damaged by increased radiation in this generation—either with cancer or with abnormal offspring—is "roughly calculable." Estimates by individual scientists using various hypo-

AT ONE POINT in the Subcommittee's hearings, Rep. Chet Holifield was moved to remark: "I was just wondering if we were allowing—let us say—propaganda to creep into our scientific terminology." Rep. Holifield's misgivings were brought on by the AEC's recent adoption of a new unit of measurement to describe safe radiation dosages. It was the official term he found disturbing—*Sunshine Units*.

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theses ranged from 50,000 to several million in a world population of 2.6 billion. It will never be possible to show a causal relationship between these injuries and bomb testing, other than to note the increased number of cases. The increase will be proportionate to the increase in total radiation: that is, if bomb testing has thus far raised total radiation one percent, cancer and leukemia should go up one percent.

5. As a technical term, "permissible" dosage should not be applied to bomb tests. The term "permissible" originated in medical practice when the patient gave his permission for an X-ray, based upon his doctor's judgment that possible healing effect of the radiation outweighed the possible damage. This situation does not apply in bomb tests since the entire world population is exposed to bomb tests by three nations—the US, USSR, and Britain. Nobody gave "permission."

6. A group of five scientists, including three AEC officials, concluded that once the atmosphere is saturated with bomb particles—a situation which one witness estimated would arrive in 10 years—the maximum rate of bomb testing without jeopardizing the entire race would be between 2 and 10 megatons of bomb materials blown annually into the stratosphere by all nations. The upper limit—10 megatons—is the average rate at which the US has been testing for the past five years.

These conclusions which are shared by the scientists justify a public attitude of most serious concern, but not, we think, of alarm.

But it is impossible not to be greatly disturbed over the fact that the world has been exposed to more than the "maximum" rate of bomb testing, as defined above, in three of the past four years, and the total amount of bomb debris blown into the stratosphere is still rising each year. In the 1954 Castle series of American tests in the Pacific 30 megatons of fission products were blown into the stratosphere in a two month period, March 1 through May 6. That is three times the "maximum" rate allowed by the scientists for all nations. Little wonder that President Eisenhower told a recent press conference that he did not expect the US ever again to test the big "dirty" Bikini-type bomb.

Russian testing of "dirty" bombs in Siberia during 1956 raised the strontium content of American soil by a third in a single year (and the fallout over Japan was much heavier). Five of the Russian tests in 1956 were judged by fallout analysis to be over the megaton size, and two were over 10 megatons.

In 1957 the continuation of American and Russian tests combined with the entry of Great Britain into the H-bomb test competition (2 superbombs in the Pacific so far) will almost certainly carry the year's total far above the "maximum" estimate of the scientists. And if any "fourth" nation enters the nuclear weapons field, it will almost certainly want to test a "dirty" bomb, since without it, no equality is gained in the armaments race.

From reading the record, we conclude also that the National Academy of Sciences report on radiation hazards is almost certainly out of date and needs revising. One of the principal authors of that report, Dr. Shields Warren of Boston, told the hearing: "If there is no threshhold (or safety zone in which no radiation injury occurs), then I would be reluctant to see the average strontium-90 content of bones, particularly in children, go much above 10 times the present level." The present level in scientists' jargon is one "sunshine unit." So Dr. Warren is suggesting a limit of 10 sunshine units in children's bones. Yet the "maximum permissible concentration" approved by the National Academy report last year was 100 "sunshine units." By this new judgment, the Academy report sets a safety level 10 times too high. This is the same Academy report described by President Eisenhower at his press conference of June 6, 1957 as "the authoritative document by which I act up to this minute, because there has been no change that I know of."

World's Biggest Wastebasket

by RICHARD L. STROUT

THE United States has three million linear feet of "classified" documents which it doesn't want to keep and can't throw away. The rate of accumulation today is higher than ever and great warehouses in St. Louis and Kansas City bulge with the load. By one computation this amounts to six billion documents. It can be considered to be the greatest wastebasket in the world.

To sort the material would cost a fantastic sum and Defense authorities admit it is cheaper just to keep the stuff under padlock and hope everybody will forget it. The process has been going on for years since classification started in the Civil War—or maybe the Revolution.

What causes the accumulation?

A simple human inclination to stamp a thing "classified" and so dispose of it rather than to take the respon-

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sibility of dealing with it in detail; the same human emotion that causes the average citizen to shove letters to the back of his desk instead of answering them. Once the stamp "Classified" has gone down, the cost of getting material unclassified and sorted is almost prohibitive.

HARVARD UNIVERSITY has 7,000 square feet of needed storage space in its Littauer Building filled with secret Defense documents and material, padlocked for 10 years under security classifications. But this is only part of the pile. Dim aisles in sealed, unlit, unheated warehouses elsewhere hold the stuff, some of it priceless but most of it trash. A burglar who got into the store would have to deal with severe Armed Services penalties, and would find mostly rubbish.

I am now about to reveal what some of this hush-hush material is. Hold on to your seats, here it comes. Laundry tags. Yes—you heard me. Laundry tags.

When American troops occupied their quarter of Berlin gimlet-eyed young intelligence officers grabbed the laundry tags among other things, stamped them "Classified" and set them aside to help them identify pro-Nazis later on. The day of sorting never came—never will come. The tags are still locked up. If a Berliner from the US Zone still wants to get his claim check for his 1945 laundry he will have to come to the United States.

There are bales of canceled checks from occupied Berlin. At Harvard the material locked up includes such things as personnel records, scientists' notebooks and scratch pads, and big mock-ups built of plywood. All secret. Harvard would like to use the space for other things. "No," says the government.

Surely this story is exaggerated? Not according to testimony given by government officials and top military brass to a House investigating committee this spring. Charles A. Coolidge, prominent Boston lawyer and capitalist, interrogated by Rep. John E. Moss (D, Cal.), estimated that "during World War II we classified three million linear feet, which is 2,000 documents to a linear foot edgewise" and that "it is running at a higher rate today."

The Pentagon picked Mr. Coolidge to head a Committee on Classified Information and to look into "leaks." Many newspapermen believe that the military's habit of overclassification results in the "leaks" of which the armed forces complain. At any rate when the Moss subcommittee exploring government information procedures queried Mr. Coolidge and his aides about the mass of stored documents the latter exhibited signs of shell-shock.

Representative Moss demanded whether reports were true that in the field of intelligence, at least, "that the classified status goes back to the Revolutionary War"?

"I don't know that," said Mr. Coolidge cautiously. "I have heard that it has gone back to the Civil War."

How about the cost? demanded the Congressman.

"The cost of keeping it is slight compared to the cost of reviewing it; that is the trouble," replied Coolidge. "It doesn't have to be heated, well lighted, and so forth."

"Is it continuing?"

"It is growing all the time."

Bewildered witnesses all told the same story. General John E. Hull, former Commander in Chief of the Far East Command, explained that once a paper is classified "the physical process of sorting it out is beyond the capacity of the Pentagon. It is a problem for which nobody has yet found the solution."

"The problem is so big and so vast," said Lt. Gen. Idwal H. Edwards, former Deputy Chief of Air Force personnel, "that if we went into this deeply at St. Louis and Kansas City where they have tremendous warehouses loaded with the stuff, we wouldn't get a report for a year or so."

HOW does the stuff accumulate? Natural enough, admits General Hull. Just the stamp "Classified" and the Pentagon is stuck with it. "It is a matter of judgment on the part of the individual," he explained. "If there is some question in his mind as to what classification to give it, it is human for him to play safe and give it a higher classification."

The Pentagon has come up with its own "solution" of the problem: it has tagged Rear Admiral John M. Hoskins with the job, as "Director of Declassification Policy," and gone on to something else.

The worst nightmare the Pentagon has is that some research students will get access to the material — Harvard, for example. Then they believe their problem would never end. As easy to card-index the blades of grass in Central Park, or catalogue the leaves of trees in a forest!

"The last people in the world I would put on the business to go into the declassification," exclaimed General Edwards, "would be a bunch of historians. You would never get rid of anything. They are afraid of destroying one document that some research fellow 10 years from now is going to want." Adding his voice was Admiral William M. Fechteler, former Chief of Naval Operations: "Probably the best cure is a big bonfire, but there you run into historians. They don't want to burn them. I really think the only thing is to burn them up wholesale."

"And never look at them!" chimed in Gen. Edwards.

So the matter rests—the world's biggest wastebasket awaiting either the professors or the last big bonfire.

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BOOKS & COMMENT

Nuclear Weapons and Foreign Policy

I — Limited Defense

by James E. King, Jr.

HENRY A. KISSINGER has written a book that should prove a landmark in the greater debate that includes all the "great debates" of our time. With high art and skill, and with impressive success, he has undertaken the hard task of ordering within a comprehensive whole the most disturbing problems that beset the national security of the United States in the nuclear phase of the conflict with International Communism. It is not an "objective" study, if by that is meant one in which the pros and cons are merely presented, the reader being left to do his own weighing and deciding. As other students of national strategy have done before him, Kissinger approaches his subject as a physician would examine a sick patient. He diagnoses the malady, describing its symptoms and prognosis, explores its causes, and prescribes a course of treatment.

Nuclear Weapons and Foreign Policy, by Henry A. Kissinger (Harper; $4).

Kissinger has made the role of force in diplomacy his province. His point of departure is realistic. Nowhere in this book will the reader discover any disposition to rest conclusions on moral premises, nor to see the causes and possible solutions of international conflict in the natural evil or goodness of man—though there is due attention to the "psychological," which is the author's inclusive term for many non-material social forces, from ideal purposes to the most subversive propaganda. The book assumes that the United States is first and foremost a great power in a world of powers, and the survival of the United States as a great power, in the face of the challenge of World Communism, is its subject. There are many supporting themes, from the evolution of modern warfare to the political problems of the free world coalition, but the central theme treats the impact of nuclear military power upon our national strategy.

"It is the task of strategic doctrine," Kissinger says, "to translate power into policy." And because we are a *"status quo* power, the basic strategic problem for the United States is to be clear about what strategic transformations we are prepared to resist." But in this assessment we have been inhibited "by the seeming lessons of our history." The security of our two oceanic moats, together with our conviction of the power derived from industrial superiority, have led us to neglect challenges to our position until they come to take the form of "unambiguous" aggression. But—

> Resistance to aggression henceforth is no longer a problem of our coming into a battle long in progress in order to tilt the scales. . . . It depends not only on our strength, but also on our ability to recognize aggression. In the nuclear age, by the time a threat has become unambiguous it may be too late to resist it.

In fact, the world balance of power has been altered by Soviet acquisition of nuclear weapons more than by any conceivable Communist seizure of territory —"even the occupation of Western Europe." But because this particular transformation took place within sovereign territory, "it produced an arms race as a substitute for war." Moreover, "as the power of weapons has increased, the forms of attack have multiplied. . . . The age of the hydrogen bomb is also the age of internal subversion, of intervention by 'volunteers,' of domination through political and psychological warfare."

Kissinger notes that our foreign policy inadequacies antedate the nuclear stalemate. Even during the period of our atomic monopoly "we never succeeded in translating our military superiority into a political advantage." The reasons were varied: "a theory of war based on the necessity of total victory, the memory of the wartime alliance with the Soviet Union, humanitarian impulses, lack of clarity about the process in which we found ourselves involved. . . . We possessed a doctrine to repel overt aggression but we could not translate it into a strategy for achieving positive goals." The author might have added to his list simple weariness with war. With the prospect of nuclear war, the debilitating effect of our preference for total solutions may be expected further to hinder the constructive employment of force in our diplomacy, because ". . . in the face of the new-found Soviet capability to inflict devastating damage on the United States, our reluctance to engage in an all-out war is certain to increase."

THE requirement, then, is for a strategic doctrine that makes a place for less than all-out solutions to the military application of national power—in short, for limited war. This is the prescription, without which the prognosis indicates gradual erosion of our world position, or its cataclysmic demise in the event that miscalculation on either side precipitates the holocaust:

> History will not excuse the inadequacy of the response by the enormity of the challenge. Our past invulnerability has fostered the illusion that there are "purely" military answers to the problems of our security and that policy ends where strategy begins. But the luxury of such an approach ended with our atomic monopoly. Henceforth, our problem will be one long familiar to less favored nations: how to relate the desirable to the possible and above all how to live with possible catastrophe.

The direct focus of attack, though the author does not specify it, is the proposition, several times expressed by Mr. Quarles, Deputy Secretary of Defense, that "if we have the strength required for global war, we could certainly meet any threat of less magnitude." Kissinger argues that it is just this concentration upon the threat of global war, with accompanying emphasis upon nu-

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clear strategic airpower, that has made our position vulnerable to challenges that are not "worth" the retaliation of global war:

> The strategic striking force is the prime deterrent against all-out war; it must therefore be reserved to this contingency. . . . To use our strategic striking forces as a dual-purpose force would weaken the deterrent to all-out war at the precise time when it should be strongest. Or else it will, in every crisis, furnish arguments for conserving our strength for a "clear" provocation or a principal enemy.

The Secretary of Defense has said: "I don't think there is going to be any little war with the Russians." Kissinger demurs that it is precisely this attitude that makes us unwilling to take the risks implicit in the exercise of power, and that this is the reason we are "losing" the cold war. The fact of the matter is that Messrs. Wilson and Quarles and their senior military associate, Admiral Radford, do not really *believe* in limited war.

And it is the burden of Kissinger's thesis to persuade them to believe—to persuade them that limited war is a prudent and necessary exercise of our national power. For if they are not persuaded, we shall go on preparing for total war at the expense of our ability to conduct limited wars as they should be conducted, and when we do find ourselves involved in limited war, it is very likely to be a repetition of our Korean experience, of which the author says:

> To MacArthur the Korean war was frustration because it was not enough of a war in terms of our concept of war; to his opponents because it was too big a war in terms of the strategy on which they had built their defense plans.

The official attitude on limited war is reflected in the favorite term for it: "brushfire war." It is not that every war has got to be total, but a war that is not total ought to be like a brushfire, which we can put out without extending ourselves. This is what made Korea an unhappy experience: it was a "police action" the police could not handle. Even the Army Chief of Staff speaks of "suppressing" limited wars. "Brushfires" can be suppressed; Koreas cannot be.

One way out of the dilemma is to convert every war that cannot be "suppressed" into total war. "The important point," Mr. Quarles also has said, "is that if we must become involved in a 'little war' to meet overt Communist aggression, we should act decisively and with all necessary strength, using our best weapons if required." He went on to say: "Otherwise, successive erosion could, in the long run, be as disastrous to our free world position as defeat in a major engagement." This could be interpreted as a case for limited war; but where, actually, is the limit, if we are to use "all necessary strength" and "our best weapons if required"? The implication that there is no limit can be seen quite clearly in Mr. Wilson's opinion: "I think if the Russians and the Americans are ever in war in any small place, it is going to expand very rapidly into a terrible war." Admiral Radford adds his impressive professional testimony: "I think it is pretty generally understood that the United States is not going to allow themselves [*sic*] to be defeated with their best weapons still unused."

This question of victory and defeat is, however, the nub of the problem of limited war. Kissinger says:

> . . . there exists no way to define a limited war in purely military terms. . . . Since the military can never be certain how many forces the opponent will in fact commit to the struggle, and since they feel obliged to guard against every contingency, they will devise plans for limited war which insensibly approach the level of all-out conflict.

But—

> A limited war, by contrast, is fought for specific objectives which, by their very existence, tend to establish a relationship between the force employed and the goal to be attained. It reflects an attempt to *affect* the opponent's will, not to *crush* it, to make the conditions to be imposed seem more attractive than continued resistance, to strive for specific goals and not for complete annihilation.

Implicit throughout *Nuclear Weapons and Foreign Policy*, then, is a revolutionary principle, which probably explains why it is so difficult for the practical men in our high policy councils, with their native suspicion of theory, to believe in limited war. From the President down they are now willing to concede, as they have said repeatedly, that total nuclear war cannot be "won"—in the sense that the survivors would consider themselves "winners." But the limited war thesis goes a long step beyond this, for it teaches that it is equally impossible to count on "winning" little wars, at least in terms familiar to our experience. As Kissinger says, for nuclear powers,

> The goal of war can no longer be military victory, strictly speaking, but the attainment of certain specific political conditions which are fully understood by the opponent. . . . Since . . .

The Green Lodger

Who lived in the greenhouse when I was very small,
The glass house called the greenhouse of the summer,
The floor of earth, the furniture of pots,
The ferns, the rose, the privileged greens and tender,
The walls of glass, the roof of glass, the sun,
The green-world-weather mansion of the light,
The humid house of noon, the walled-up wealth
Of earth upon old earth in winter's spite?
Who lived there in the growing world of dark,
Walked sensitive aisles, alive to every plant?
When we slept in the night of roofs and walls,
Who bedded in that loam his full extent?

The glass house is not called the greenhouse now,
But broken house, and weed-cracked house of glass,
Cracked pots, spilt earth, hard-stalked and choking plants:
Our lodger absent under mounting grass.

Leonard Nathan

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> the protagonists retain the *physical* resources to increase their commitment, the ability to conduct a limited war presupposes an understanding of the psychology by which the opponent calculates his risks and the ability to present him with an opportunity for settlement that appears more favorable than continuation of the war.

Small wonder that the official preference is for "deterrence." But deterrence does not afford an escape from the rude facts.

> Deterrence is the attempt to keep an opponent from adopting a certain course of action by posing risks which will seem to him out of proportion to any gains to be achieved. The higher the stakes, the more absolute must be the threat of destruction which faces him. But the reverse is also true: the smaller the objective, the less should be the sanction. For the power of modern weapons deters not only aggression, but also resistance to it.

Deterrence, then, requires a certain proportion, the retaliation we propose to deter actions we consider aggressive must be believable; an opponent whose purpose is the subversion of Baghdad may find it difficult to believe our claim, for example, that his initiative involves the destruction of Moscow *and New York*.

THE counterpart of official reluctance or inability to grasp the theoretical essentials of limited war, and perhaps its cause, is the lack of deep conviction regarding the alternatives. Even though it is agreed that all-out war cannot be won in any meaningful sense (Mr. Wilson remarked during the Airpower hearings last summer: "They might seem to be the victor, but what would be left would not be worth bothering about . . .") the meaning of this has not penetrated the regions of consciousness where decision and action are motivated. As Kissinger says, in connection with the budget-mindedness of Secretaries Wilson and Humphrey:

> Despite all the information at their disposal, they simply cannot believe that in the nuclear age the penalty for miscalculation may be national catastrophe. They may know in their heads, but they cannot accept in their hearts, that the society they helped to build could disappear as did Rome or Carthage or Byzantium, which probably seemed as eternal to their citizens.

One approach to clarity is through history, out of an examination of which Kissinger has evolved his theory of total and limited war. The historical fact is that most wars have been limited, either by the limited resources of the belligerents or by the international circumstances in which they occurred. As there is no effective limit of resources among nuclear powers, Kissinger finds a hope for limitation in the circumstance that fear of thermonuclear war provides a sanction against expanding war.

> The fear that an all-out thermonuclear war might lead to the disintegration of the social structure offers an opportunity to set limits to both war and diplomacy.

For diplomacy the implications likewise provide a theoretical basis for action.

> Since the most difficult decision for a statesman is whether to risk the national substance by unleashing an all-out war, the psychological advantage will always be on the side of the power which can shift to its opponent the decision to initiate all-out war.
>
> Limited war is thus not an alternative to massive retaliation, but its complement. It is the capability for massive retaliation which provides the sanction against expanding the war.

But again, there must be no dangerous illusions about "winning" limited wars:

> Limited war is not a cheaper substitute for massive retaliation. On the contrary, it must be based on awareness that with the end of our atomic monopoly it is no longer possible to impose unconditional surrender at acceptable cost.
>
> An attempt to reduce the enemy to impotence would remove the psychological balance which makes it profitable for both sides to keep the war limited.

THE theory certainly implies that limited war is an inescapable necessity, however we may feel about the prospect. But the author prefers to present it in terms of its advantages. It would be "misleading," he says, "to reject a strategy of limited war on the ground that it does not offer a military solution to our strategic problem. Its merit is precisely that it may open the way to a political solution." This is explained by reference again to the "psychological advantage . . . on the side of the power which can shift to its opponent the decisions to initiate all-out-war."

It may be suggested that, as between full-blown nuclear powers, the ultimate advantage in the years ahead cannot be determined by strength alone, however skillfully and freely used. Where both sides must engage in a calculus of risks, where both may assume that neither will deliberately embrace the ultimate risk of mutual extinction, comparative willingness to take the risks of lesser degree may well prove deciding. The issue, then, even though the frame of decision is immensely complex, comes down to a comparatively simple question of will and conviction. As Henry Kissinger says in the last sentence of his book:

> As the strongest and perhaps the most vital power of the free world we face the challenge of demonstrating that democracy is able to find the moral certainty to act without the support of fanaticism and to run risks without guarantee of success.

This book is a library in miniature on present world problems. There is the concise and convincing historical treatment of limited and "total" war. There is a brilliant discussion of Communist doctrine and method in both the Russian and the Chinese incarnations, with emphasis upon the military strategy of world revolution. There is an informative analysis of the demands and limitations of the "uncommitted" minor powers, with their roots in a colonial past, and of the purposes and limits of coalitions and alliances, culminating in an extensive treatment of the North Atlantic Treaty Organization and its place in present world security arrangements.

There is also a general but excellent treatment of nuclear weapons and their effects, and, for those whose eyes are on current headlines, a provocative examination of the proposals for arms control. The reader will detect my own enthusiasm, to which I hereby freely confess—but not without qualification.

KISSINGER insists that the limited war, which he expounds so skillfully, must be limited *nuclear* war. This is not to say that he maintains that we must use nuclear weapons in every application of our military power. He too provides for "brushfires," and for other contingencies in which the employment of nuclear weapons may be neither necessary nor appropriate. But he rightly perceive

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that the strategic doctrine of limited war that he is advocating stands or falls by its relevance to the issue of conflict between *nuclear* powers. And between nuclear powers he argues that our choice, *because it is to our advantage*, ought to be for limited nuclear war. This is what qualifies my enthusiasm. The author has based his advocacy of limited nuclear war upon a, for him, uniquely fragile argument in support of the claim that it is to our advantage, and upon an imaginative picture of nuclear ground tactics that seems to me to leave out some essential facts. The picture is supposed to show that tactical nuclear combat need not prove intolerably destructive of the combatants. This picture needs the closest examination.

(Part II of Mr. King's evaluation—Limited Annihilation — *will appear in the July 15* New Republic).

The Vicious Victorians

by Donald Malcolm

THIS is a book to lacerate the feelings of all seekers after the sober truth, for the truth that Mr. Graves pursues herein is not entirely sober. In his own words, the novel "is full of sex, drink, incest, suicides, dope, horse racing, murder, scandalous legal procedure, cross-examinations, inquests and ends with a good public hanging." Against this elegant background, he sets out to prove that Dr. William Palmer, who was hanged in 1856 for the murder of a friend, and who was thought to have poisoned thirteen others as well, was actually innocent of all these deaths. And he does prove it, too (pickets have recently demanded the removal of Dr. Palmer from Madame Tussaud's gallery of murderers), but that is not much of an accomplishment. Indeed, if works of the imagination are to be accepted as evidence, one could undertake to demonstrate the innocence of Charlotte Corday by proving that Marat merely slipped on the soap.

They Hanged My Saintly Billy, by Robert Graves (Doubleday; $3.95).

But one is less inclined to object to the use of fiction to prove a fact than to criticize the intrusion of too many facts in the fiction. All too frequently, the flow of narrative is checked by such passages as this:

> When informed of the arrival of Cook's step-father, the story goes, Dr. Palmer exclaimed: "Good God! But he has no relatives!" This, however, is a plain falsehood. Dr. Palmer had met Mr. Stevens, briefly, at Lutterworth in 1854, and told The Talbot Arms maids of his existence shortly before Cook died. He also knew that Cook had a sister and a half-brother living, and a maternal uncle who owed him money.

Mr. Graves has obviously done a magnificent job of research on the life of William Palmer, but one could wish that he had included fewer of his findings in the novel—or that he had abandoned the use of fiction altogether and let the facts speak for themselves.

These, however, are merely the quibbles of one who likes to know precisely what sort of book he is enjoying. There can be no question of the enjoyment itself. Mr. Graves is a marvelous writer, and he has achieved a sparkling reconstruction of Victorian England. I particularly liked the brief account, by a youthful friend of Dr. Palmer's, of his attempt to overhear a conversation between Charles Dickens and William Makepeace Thackeray at Evan's Supper Room in Covent Garden:

> I kept my ears open for some sublime or witty remark from the famous novelists, but apart from "May I trouble you, Sir, to pass the mustard?" or "These are indeed capital chops," I heard nothing of interest except Mr. Dickens' discourse on the beneficial effect of Sunday Schools in increasing the number of children who can read and write, thus yearly swelling the literate public. "I rely on these former Sunday School pupils to keep my young brood in beef, mutton and potatoes, my dear Thackeray," said he, "not upon the University men and their families."
>
> "So I judge by your style and your subjects," Mr. Thackeray replied with a sigh that doubtless referred to his own childless state; though it would have sounded deuced crushing to any writer who had a lower opinion of his talents than Charles Dickens.

It was, I believe, one of Mark Twain's characters who concluded an implausible tale with the remark, "It may sound like poetry, but it's the petrified truth." The same statement, turned end for end, will apply to Mr. Graves' new novel as well: it may sound like the truth, but it's petrified poetry.

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writes with contagious
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RECORDS

Among the Pianists

THE Danish pianist Victor Schioler, on Capitol P-18046, gives us performances of Beethoven's Sonatas Opp. 109 and 111 in which the powerfully expansive and clear shaping of larger structure and the elaboration of detail are similar to Schnabel's. It is not that Schioler copies Schnabel, but that hearing him play the works Schioler came to think of them in the same way, so that his performances assume their forms in living sound with the creative spontaneity and personal conviction and impressiveness that copies would not have. And actually there are, of course, differences: Schioler's more accurate passage-work, Schnabel's lovelier tone and melodic legato.

On the other hand, young Glenn Gould's performances of Beethoven's Sonatas Opp. 109, 110 and 111 on Columbia ML-5130 appear to represent a decision to eliminate from his mind the conceptions of these works built up gradually in the performances of the past 150 years, and instead to derive his own ideas entirely from the printed text. At every point one hears his mind operating attentively and independently; and since the mind is not only powerful but willful and even eccentric, its operation is interesting but the result is largely unacceptable. Thus, what Gould's unusual fast tempo makes of Variation 4 in the last movement of Op. 109, or the first-movement Allegro of Op. 111, is something I cannot hear as a valid, effective statement of the music. That is to consider only the treatment of the music; but an additional reason for listening to Gould is the extraordinary mastery of the piano that is evident in the completely achieved, finished, precise and beautiful-sounding execution of every detail of melody, passage-work and chord-sequence. And this superb piano-playing is heard also in a performance of Bach's *Goldberg Variations* on Columbia ML-5060, in which the musical intelligence operates without eccentricity.

OF SEVERAL other less spectacularly but impressively gifted younger pianists, Friedrich Gulda exhibits something similar to Gould's completely achieved and beautiful-sounding execution; and while he doesn't seem to have the knowledge of what to do between the *p's* and *f's* in Mozart and Beethoven, he does have the imaginative understanding that produces, on London LL-1371, an effective performance of Schumann's *Fantasiestuecke* Op. 12, one of this composer's best sets of such pieces. The *Waldszenen* Op. 82, on the same record, I find uninteresting.

Leon Fleisher's first record, Columbia ML-5061, offered a performance of Schubert's great Sonata in B-flat whose articulation and shaping of the material made it—even with a few questionable or inadequate details—the best version on LP. On Epic LC-3331 Fleisher now gives an excellent performance of one of Brahms's better pieces, the Variations on a Theme of Handel, concerning which I must mention that there is one repetition too many of the first part of Variation 3 and that the treble of the piano sounds thin and dull. The Waltzes Op. 39 are on the reverse side.

And RCA Victor LM-2012 has Gary Graffman's brilliant performances of Prokofiev's early but characteristic and engaging Sonatas Nos. 2 and 3. The reverse side offers a good performance of Schubert's *Wanderer* Fantasy Op. 15.

Among older pianists there is Serkin, whose playing 25 years ago was small in scale but sensitive, precisely executed and beautiful-sounding, and whose subsequent attempt at a more grand and heroic style resulted in the crude violence which—with the wild flinging about of arms and body that testifies to the intensity of his involvement—wows the public, and which works in the empty bombast of the Brahms concertos. The playing that isn't loud is nerveless and without force, and does not work in Mozart and Schubert. Not, for example, in the first movement of Schubert's uncompleted Sonata in C, on Columbia ML-5153, in which the second subject is reduced to a perfunctory simper. And the solo parts of Mozart's Concertos K.453 and 503 on ML-5169 and K.467 and 595 on ML-5013 have no saliency and force with the tone that changes from lifelessly pallid only to unpleasantly percussive, the melodic legato that is without continuity of dynamics and tension, the occasional sentimental inflection or retardation. Moreover they haven't the grace and elegance Mozart calls for.

WHAT Serkin cannot do in Mozart one hears done by Landowska in Victor LM-6044. The performances of the Sonatas K. 282, 283, 311 and 333 and the Rondo K.511 come with the usual Landowskan pretension—that they give us the pieces played with the necessity "science of touch" that enables the modern piano to "bring us the authentic colors of the keyboard instruments of Mozart." Some, no doubt, will hear those colors of the clavichord, harpsichord and early pianoforte; but I hear only the sounds of Landowska's Steinway, in sequences in which they are given enlivening variety and cohesive continuity of shape, force and tension by the precisely executed inflection. In the uninteresting Sonata K.311 the playing is unaffected, clear and strong; in the other sonatas there are the Landowskan distentions of tempo or shape of phrase, some with musical effect, and some conveying only ostentatious willfulness. In the fine Sonata K.333 Landowska chooses to give a demonstration of the interpolation of elaborating figuration—in some instances in place of Mozart's own continuing figuration in the passage, for which it would seem to me not to be legitimately substituted. And in the beautiful Rondo K.511 she chooses to indulge in stolid thumping of the bass, graceless and uncohesive enunciation of the melody, overemphasis of accompanying passage work.

B. H. HAGGIN

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Correspondance

(Continued from page 3)

spokesman for the "left" intellectuals in Japan, with an influence comparable, perhaps, to that of Sartre in France.

In the fall of 1956, Tsuru accepted an invitation to come to Harvard for a year, and obtained a visa after much difficulty. His first-hand contact with America, and his discussions with colleagues at Harvard, caused him to modify many of his views, and the events in Hungary quickened his reevaluation of his political ideas. In April Tsuru was subpoenaed suddenly by the Senate Internal Security Committee. The reason given was that the committee was investigating the history of educational subversion. Little thought was given apparently to the propriety of summoning a foreign scholar, nor was the Japanese Embassy notified of the event.

Tsuru was neither a friendly nor a hostile witness. He said that many of his earlier views had been "youthful" and that they had changed. Questioning led to his relations with Herbert Norman, the Canadian ambassador to Egypt, who had been a fellow student of Tsuru at Harvard in the late thirties. After Tsuru had returned to Japan, Norman had sought to obtain Tsuru's books and belongings, which had been impounded by the government, claiming Canadian diplomatic status in order to secure access to them. The Senate counsel implied that Norman was searching for letters by Tsuru that linked him to the Communist Party. Tsuru said that neither he nor Norman had been party members, though both attended Marxist discussion groups at Harvard.

Shortly after the testimony, Norman committed suicide. His death was a great shock to the Japanese since Norman was well known in Japan—he had grown up there, the son of a missionary—and his book *The Emergence of Modern Japan,* was regarded as a classic. The accounts in the Japanese press made it seem that Tsuru was the Judas witness against Norman. (Actually, the accusations against Norman, seeking to link him to Communist causes in the past, came from other testimony.) The US Senate was denounced for calling a foreign scholar and a government official, and Tsuru was pilloried for testifying at all.

The American press, as I discovered later, paid almost no attention to Tsuru, was unaware, apparently, of his intellectual eminence in Japan, or the reaction that his summoning had provoked. Ultimately, the Tsuru case is only a footnote in the history of the contemporary intelligentsia, yet it casts a revealing light on two aspects of the contemporary political temper: the incredible blindness of the Senate Committee to the sensibilities of the Japanese, and the brutal reaction of the Japanese left in clubbing Tsuru because of its own inner fears that his change of views foreshadowed its own.

DANIEL BELL

Paris

The New Republic welcomes communications from its readers in regard to subjects of current interest. Those of 300 words or less lend themselves to publication more readily than longer letters.

► *Light Up, Unlucky*

SIRS:

THE victims of narcotic drugs are not moved by any facts, even the convincing ones you have published. All my life I have been hearing them say, "I could quit if I wanted to." And I have been answering, "Yes, but you can't want to. You can't think, because the poisons think for you." It makes little difference whether the poison is nicotine taken in by the lungs or alcohol taken in by the stomach. Lung cancer is a dreadful thing, but it is merciful compared to the long-drawnout anguish of death by alcoholism. I have watched it from earliest childhood: my father, three uncles, and then a long file of my best friends—Jack London, George Sterling, Sinclair Lewis, a long list which I have given in *The Cup of Fury.* But has it kept anybody from a cocktail party?

Behind both of these poisons stands a lobby and a billion-dollar industry, two monsters feeding upon the blood of thirty, forty, fifty million victims. I open my mailbox and take out New York's most elegant and fashionable magazine, and on the back cover is a beautiful colored advertisement headed "Elegance by"—a brand of whiskey. I turn the front cover, and there is another brand of whiskey proclaimed as "Gold Medal." Always there are gentlemen in evening costumes manifesting conviviality. Never do you see them vomiting in the gutter outside—as I saw in my youth in front of the fashionable clubs of Princeton. And never do you see them taking cyanide, or putting bullets into their poor heads.

The cigarettes are slower, as I say. I have never smoked one; but I have breathed other men's smoke, and that is one reason why I stay in my own garden.

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